

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3456 OF 2006

|                          |            |
|--------------------------|------------|
| Anandrao Dattatray Patil | Applicant  |
| versus                   |            |
| The State of Maharashtra | Respondent |

Niranjan Mundargi for applicant.  
Miss R.M.Gadhavi, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 25th September 2006

PC :

1. Heard Shri Mundargi appearing for applicant and Miss Gadhavi-APP for State. Shri Mundargi brings to my notice the order passed by this Court in the case of co-accused who has been attributed identical role.

2. Facts in brief are that one co-operative credit society was allegedly cheated and amounts to the tune of crores of rupees were misappropriated by its Directors and Officers. Upon investigation being completed, the prosecution filed charge sheet firstly in CR No.89 of 2002 and later on in CR No.73 of 2004.

3. It is not in dispute that the applicant has been arrested as accused in both CRs.. In the earlier CR namely 89 of 2002 the accused-applicant was in custody for 90 days and since charge sheet could not be filed within the stipulated period, he was entitled to statutory benefit. Hence, he was enlarged on bail. Shri Mundargi states that identical fact situation emerges as far as present CR No.73 of 2004. Here also the applicant has undergone 90 days custody and the charge sheet is filed subsequently.

4. The above facts are not disputed by learned advocate for applicant.

5. Considering the above undisputed facts and further applicant having undergone custody of 90 days, the investigation being complete and charge sheet filed, he deserves to be enlarged on bail. Accordingly, following order.

6. ORDER :-

(i) The applicant shall be enlarged on bail in connection with C.R.No.73 of 2004 registered with Bhudargad Police Station subject to furnishing a

personal bond of Rs.15,000/- (Rs.Fifteen thousand only) with one or two local sureties in the like sum;

(ii) The applicant shall report to Crime Branch, Sangli, Camping at Gargoti once in a fortnight till trial is concluded;

(iii) The applicant shall furnish his residential address where he proposes to reside after bail and during pendency of trial, to the Investigating Agency before his release, and shall not change his residence without prior intimation to the Investigating Officer;

(iv) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

W

(v) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail;

(vi) Any observation/s made in this order shall

not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial;

(vii) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)